

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

The Court, having reviewed petitioner's 28 U.S.C. § 2254 petition for writ of habeas corpus (Dkt. 1), the Report and Recommendation of United States Magistrate Judge Brian A. Tsuchida, the governing law, and the balance of the record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Petitioner's petition for writ of habeas corpus (Dkt. 1) is DISMISSED with prejudice;
- (3) The Court denies issuance of a certificate of appealability;
- (4) The Clerk of Court is directed to send copies of this Order to all counsel and to Magistrate Judge Brian A. Tsuchida.

DATED this 10th day of March, 2010.

Robert S. Lasnik  
Robert S. Lasnik  
United States District Judge